REMARKS

Claims 1, 4-36 and 51-99 were examined and reported in the Office Action. Claims 1-2, 4-36 and 83-93 are rejected. Claims 94-99 are canceled. Claims 1-2, 4-36 and 51-93 remain.

Applicant requests reconsideration of the application in view of the following remarks.

I.   Claim Objections

It is asserted in the Office Action that claims 94-99 are objected to for using the character "/." Applicant has canceled claims 94-99. Therefore, the informal claim objections for claims 94-99 is moot.

II.   35 U.S.C. § 103(a)

A.   It is asserted in the Office Action that claims 1-2, 4-7, 8, 20 and 83-86 are rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 6,484,260 issued to Scott et al. ("Scott") in further view of U. S. Patent No. 6,041,410 issued to Hsu et al. ("Hsu"). Applicant respectfully traverses the aforementioned rejection for the following reasons.

According to MPEP §2142

> "[t]o establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure." (In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)).

Further, according to MPEP §2143.03, "[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. (In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)." "*All words in a claim must be considered*

in judging the patentability of that claim against the prior art." (In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970), emphasis added.)

Applicant's a protocol conversion unit described in independent claim 1 is a unit for "converting format of the communication data" or converting "communication protocol."

Scott discloses a personal identification system using a biometric sensor to allow access to a secure facility. Scott further discloses an encoder has an encryption algorithm that uses a private key and a memory can store an ID code. Scott, however, does not teach, disclose or suggest Applicant's claim 1 limitations of "a protocol conversion unit for converting format of the communication data to be transmitted to the device into a format that can be received and decoded by the device."

Hsu simply transmits data to one mating apparatus. When transmitting data, the apparatus encrypts the data and sends the encrypted data to the mating apparatus for security improvement. For improved security, Hsu transmits identification or authentication information or data by generating a number and encrypting the number. That is, data in Hsu undergo changes as written always in "unchanged format," thus basically assuming an involvement of one use device. In contrast, in Applicant's claimed invention for communications of authentication information, the data are transmitted compatibly to varied "formats" in communication systems of varied use devices, thus basically assuming a participation of a plurality of use devices. This effect is not taught, disclosed or suggested by Hsu. This provides an advantageous effect in that even devices shaving varied communication systems can be dealt with using only one token so that more easy-to-use systems may be realized.

Further, Applicant's claimed invention can convert data so as to match different communication formats and different communication protocols and a plurality of mating apparatuses. According to the function and effect of Applicant's claimed invention, one authentication token is used to convert the communication formant and communication protocol into different communication formats and different communication protocols of use devices.

Sumino discloses an individual authentication system using an authentication card for storing biological information and a password for identifying a registered user.

Even if Scott and Hsu were combined, the resulting invention would still not teach, disclose or suggest Applicant's claim 1 limitations of "a protocol conversion unit for converting format of the communication data to be transmitted to the device into a format that can be received and decoded by the device, wherein said personal collation unit and communication unit are integrated."

Since neither Scott, Hsu, and therefore, nor the combination of the two teach, disclose or suggest all the limitations of Applicant's claim 1, Applicant's claim 1 is not obvious over Scott in view of Hsu since a *prima facie* case of obviousness has not been met under MPEP §2142. Additionally, the claims that directly or indirectly depend from claim 1, namely claims 2, 4-7, 8, 20 and 83-86, would also not be obvious over Scott in view of Hsu for the same reason.

Accordingly, withdrawal of the 35 U.S.C. § 103(a) rejections for claims 1-2, 4-7, 8, 20 and 83-86 are respectfully requested.

B. It is asserted in the Office Action that claims 9-19, 21-36 and 87-93 are rejected under 35 U.S.C. § 103(a), as being unpatentable over Scott in view of Hsu and in further view of U.S. Patent No. 6,957,338 issued to Sumino ("Sumino"). Applicant respectfully traverses the aforementioned rejection for the following reasons.

Applicant has discussed the inventions of Scott and Hsu above in section IIA.

Sumino discloses an individual authentication system using an authentication card for storing biological information and a password for identifying a registered user. Even if Sumino, Scott and Hsu were combined, the resulting invention would still not teach, disclose or suggest Applicant's: claims 1, 10, 21, 25, 29 and 33 limitations of "a protocol conversion unit for converting format of the communication data to be transmitted to the device into a format that can be received and decoded by the device," "a protocol conversion unit for converting format of the communication data to be transmitted to the device into a format that can be received and decoded by the device, said personal collation unit and said first communication unit being integrated," "a protocol conversion unit for converting format of the communication data to be transmitted to the service providing apparatus into a format that can be received and decoded by the service providing apparatus," "converts formats of communication data containing the

password and token identification information into a format that can be received and decoded by the service providing apparatus and transmits the communication data to the service providing apparatus,"

receiving communication data containing the password of the authentication token and the token identification information for identifying the authentication token, which is transmitted from the authentication token; collating the password contained in the communication data with a password obtained from the first database using the token identification information as a key; and providing the service to the user on the basis of a collation result, wherein <u>format of said communication data transmitted from the authentication token is converted into a format that can be received and decoded by the service providing apparatus,</u>

and

when a collation result indicates that collation is successful, receive communication data containing the password of the authentication token and the token identification information for identifying the authentication token, which is transmitted from the authentication token; collate the password contained in the communication data with a password obtained from the first database using the token identification information as a key; and provide the service to the user on the basis of a collation result, wherein <u>format of said communication data transmitted from the authentication token is converted into a format that can be received and decoded by the service providing apparatus,</u>

respectively.

Since neither Scott, Hsu, Sumino, and therefore, nor the combination of the three teach, disclose or suggest all the limitations of Applicant's claims 1, 10, 21, 25, 29 and 33, Applicant's claims 1, 10, 21, 25, 29 and 33 are not obvious over Scott in view Hsu and further in view of Sumino since a *prima facie* case of obviousness has not been met under MPEP §2142. Additionally, the claims that directly or indirectly depend from claims 1, 10, 21, 25, 29 and 33, namely claims 9, 11-19 and 87-93, 22-24, 26-28, 30-31, and 34-36, respectively, would also not be obvious over Scott in view Hsu and further in view of Sumino for the same reason.

Accordingly, withdrawal of the 35 U.S.C. § 103(a) rejections for claims 9-19, 21-36 and 87-93 are respectfully requested.

C. It is asserted in the Office Action that claims 94-99 are rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 6,980,672 issued to Saito et al. ("Saito") in view of Scott. Applicant has canceled claims 94-99. Therefore the above-mentioned 35 U.S.C. § 103(a) rejections regarding claims 94-99 are moot.

CONCLUSION

In view of the foregoing, it is submitted that claims 1-2, 4-36 and 51-93 patentably define the subject invention over the cited references of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

PETITION FOR EXTENSION OF TIME

Per 37 C.F.R. 1.136(a) and in connection with the Office Action mailed on June 11, 2007, Applicant respectfully petitions the Commissioner for a one (1) month extension of time, extending the period for response to October 11, 2007. The Commissioner is hereby authorized to charge payment to Deposit Account No. 02-2666 in the amount of $120.00 to cover the petition filing fee for a 37 C.F.R. 1.17(a)(1) large entity. A duplicate copy of this sheet is enclosed.

Respectfully submitted,
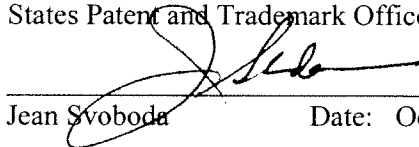
BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN

Dated: October 10, 2007

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.

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Jean Svoboda   Date: October 10, 2007